

Appl. No. 09/805,959
Amendment Dated February 9, 2006
Reply to Office Action of August 10, 2005

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in this application.

LISTING OF CLAIMS

Claim 1. (Currently Amended) A method for acquiring and distributing natural gas in relatively large quantities by a gas utility company wherein the purchase of gas from a gas producer and to be distributed by said utility is financed by an intermediary entity, said method comprising the steps of:

negotiating at least one of the purchase, transport and storage cost of said gas by one of said utility and said intermediary entity;

determining a quantity of gas to be purchased based at least in part on historic demand data for gas in an area served by said utility;

acquiring funds to pay for gas purchased by said intermediary entity by issuing debt instruments by said intermediary entity through financial markets;

providing payment by said intermediary entity for said gas and taking title to said gas by said intermediary entity;

carrying out one of transporting said gas to a storage facility and identifying said gas at a predetermined storage facility;

~~acquiring funds to pay for gas purchased by said intermediary entity by issuing debt instruments by said intermediary entity through financial markets;~~

determining gas deliverability capacity of said storage facility by selected measurements of gas pressure at

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said storage facility to provide for scheduling one of
repayment and rollover of said debt instruments;

collecting payments by said intermediary entity from
said utility for gas delivered to utility customers in
accordance with a sales contract between said utility and said
intermediary entity; and

conducting one of repayment and rollover of repaying
debt instruments at maturities thereof by said intermediary
entity ~~from~~ utilizing funds received from said utility
pursuant to said sales contract.

Claim 2. (Original) The method set forth in Claim 1
including the steps of:

assessing the risk of receiving payment from said
utility by said intermediary entity based on selected
parameters related to geographical territories serviced by
said utility for the purchase of gas from said utility by
customers of said utility within said territories,
respectively.

Claim 3. (Original) The method set forth in Claim 2
wherein:

said risk assessment includes a determination of
selected parameters within a geographic territory.

Claim 4. (Original) The method set forth in Claim 3
wherein:

said parameters are determined for subdivisions of
said geographic territory defined by postal service code.

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Claim 5. (Original) The method set forth in Claim 3 wherein:

said parameters are selected from a group consisting of population, residential housing units, retail merchant space, industrial production space, household income and sales tax receipts of said territories, respectively.

Claim 6. (Original) The method set forth in Claim 3 wherein:

said parameters are selected from a group consisting of historical heating/cooling degree days, present weather forecast, and historical weather by one of an hourly and daily basis within said territories, respectively.

Claim 7. (Original) The method set forth in Claim 2 including the steps of:

forecasting demand patterns for gas to be withdrawn from storage based on the parameters set forth in one of Claims 5 and 6 and comparing said demand patterns with the capability of withdrawal of gas from said storage facility by a facility operator.

Claim 8. (Original) The method set forth in Claim 7 including the step of:

notifying said facility operator of requirements to release gas from storage in accordance with a schedule derived from the steps of Claim 7.

Claim 9. (Original) The method set forth in Claim 2 including the step of:

forecasting expected cash flows from customers serviced by said utility in said territories.

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Claim 10. (Original) The method set forth in Claim 9 including the steps of:

determining the requirements for one of issuance and reissuance of debt instruments and at least one of monetary amounts thereof and maturity dates thereof and issuing debt instruments as required to finance the purchase of said gas by said intermediary entity and corresponding to expected cash flows to said intermediary entity from said utility.

Claim 11. (Original) The method set forth in Claim 1 including the steps of:

determining an interest rate to be one of charged to said utility and paid on said debt instruments by assessing risks of loss by said intermediary entity, said risks of loss selected from a group consisting of interest rate risk, default on repayment of said debt instruments risk, maturity schedule of debt instruments risk, injection, storage and deliverability of said gas risk, gas measurement risk, physical loss of said gas during transmission and in storage risk, business conditions risk and economic risk.

Claim 12. (Original) The method set forth in Claim 11 including the steps of:

determining an interest rate to be charged to said utility based on one or more of said risks.

Claim 13. (Original) The method set forth in Claim 11 including the step of:

assigning a weight value to selected ones of said risks and determining a composite risk value.

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Claim 14. (Original) The method set forth in Claim 1 including the steps of:

determining the anticipated producing rate of gas for storage in said storage facility and determining the dollar volume of debt instruments available periodically based on said rate of production and delivery to storage.

Claim 15. (Currently Amended) The method set forth in Claim 1 including the steps of:

monitoring ~~pressures~~ said gas pressure and fill quantities in said storage facility to determine storage facility performance and determining the extent of rollover of debt instruments as said debt instruments reach maturity based on said storage facility performance.

Claim 16. (Original) The method set forth in Claim 1 including the step of:

monitoring the aging of accounts receivable of said utility to determine the risk associated with said intermediary entity achieving a predetermined return on investment.

Claim 17. (Original) The method set forth in Claim 1 including the step of:

acquiring data with respect to said utility related to historical daily temperatures in a service territory served by said utility to determine the parameters of expected placement of gas in storage and withdrawal of gas from storage for said utility.